

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

WEST VIRGINIA UNIVERSITY HOSPITALS, INC.,
UNITED HOSPITAL CENTER, INC.,
WEST VIRGINIA UNIVERSITY HOSPITALS-EAST, INC.,
CITY HOSPITAL FOUNDATION, INC., and
WEST VIRGINIA UNITED HEALTH SYSTEM, INC.,

Plaintiffs,

v.

Civil Action No. 1:10CV97
(STAMP)

UBS FINANCIAL SERVICES, INC.,
and UBS SECURITIES, L.L.C.,

Defendants.

ORDER APPROVING JOINT STIPULATION AS FRAMED

On June 30, 2010, the parties in the above-styled civil action filed a joint stipulation to stay the defendants' deadline to answer in this case. The parties have a similar civil action pending in the United States District Court for the Southern District of New York. The parties believe that a ruling by the United States Court of Appeals for the Second Circuit in another civil action will impact the litigation in both the Southern District of New York and in this civil action. The parties filed a stipulation in the Southern District of New York stipulating that the New York defendants' deadline to answer in the New York action will be stayed until thirty days after the docking of the merits opinion in the Second Circuit Appeal. In this case, the parties request that the defendants' deadline to answer be stayed until thirty days after the docketing of any order by the United States District Court for the Southern District of New York denying the

defendants' motion for a preliminary injunction in the New York action on the merits.

For good cause shown, this Court GRANTS AS FRAMED the parties' joint stipulation. This stay is without prejudice to the defendant's right to appeal the Southern District of New York order, or to contest the jurisdiction or venue of this action. All parties have reserved the right to apply to this Court for an order lifting the stay at an earlier date upon a showing of good cause. Further, the parties are DIRECTED to notify this Court of when the Second Circuit issues the merit opinion at issue and when the Southern District of New York issues its opinion on the preliminary injunction. Finally, the parties are DIRECTED to file a joint status report apprising this Court of the proceedings both in the Southern District of New York and the Second Circuit on or before **October 1, 2010**.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: July 1, 2010

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE